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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,172	01/18/2001	John M. Baron	10004909-1	7463

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EXAMINER	
NGUYEN, JENNIFER T	
ART UNIT	**PAPER NUMBER**
2629	

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10/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/765,172	BARON, JOHN M.	
	Examiner	Art Unit	
	Jennifer T. Nguyen	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 July 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6,7,10-14,17 and 21-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6,7,10-14,17 and 21-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *9/19/07*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This Office action is responsive to amendment filed on 07/10/2007.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claim 1-4, 6, 7, 10, 11, 13, 14, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson (U.S. Patent No. 6,154,210) (hereinafter Anderson '210) in view of Anderson (U.S. Patent No. 6,297,810) (hereinafter Anderson '810).

Regarding claims 1 and 13, Anderson '210 teaches a camera (210, fig. 2a) comprising:

a controller (344, fig. 3) configured to control an execution of a functional device;

a display (502, fig. 3) for use in controlling the execution of the functional device; and

a switch platform (i.e., common platform, fig. 2b) configured to provide control signals to said controller for selecting parameter values used in conjunction with said functional device, said switch platform mounted to detect a touching about a periphery and a central portion (fig. 9d) of said display and operational for providing a plurality of discrete output signals to said controller, each indicative of a portion of said periphery or said central portion at which said touching is detected (col. 6, line 66 to col. 7, line 39);

wherein said witch platform comprises:

periphery pressure sensitive switches (TS412-TS416, fig. 2b) disposed on said display in proximity to respective edges of said display and configured so that touching at a corner operates a corresponding one of said switches (TS412-TS416, fig. 2b); and

a central pressure sensitive switch (920, fig. 9d) disposed on said display and positioned to detect touching at the central portion of said display (col. 7, lines 40-67).

Anderson '210 differs form claims 1 and 13 in that he does not specifically teach touching at a midpoint of one of said edges operates a corresponding pair of said switches.

Anderson '810 teaches touching at a midpoint of one of said edges operates a corresponding pair of said switches (col. 2, lines 32-39). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the touching at a midpoint as taught by Anderson '810 in the system of Anderson '210 in order to control the touch device more easily and accurately.

Regarding claims 2 and 14, Anderson '210 teaches display is a flat panel display (i.e. LCD) (col. 5, lines 7-11).

Regarding claims 3 and 4, Anderson '210 teaches an optical imaging device wherein said optical imaging device includes an optical system configured to project an image onto a light sensitive media (col. 5, lines 31-37).

Regarding claim 6, Anderson '210 teaches display is mounted on said switch platform, said switch platform, which, in turn, is mounted on an enclosure, wherein said enclosure encompasses at least a portion of said functional device, and said switch platform including pressure sensitive switches positioned to detect pressure applied proximate respective corners of said display (col. 6, line 66 to col. 7, line 39).

Regarding claim 7, Anderson '210 teaches a pressure sensitive switch positioned to detect pressure applied to a central portion of the display (920, fig. 9D).

Regarding claim 10, Anderson '210 teaches display is a rectangular shaped liquid crystal display device (figs. 1a and 1b).

Regarding claim 11, Anderson '210 teaches electronic control system is configured to cause said display to display a value of a control parameter and to detect an operation of said switch platform to change said value (col. 8, lines 15-42).

Regarding claim 25, Anderson '210 teaches a viewfinder display in communication with the controller for displaying information from the controller to a user peering through a viewfinder (col. 5, lines 30-37).

4. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson (U.S. Patent No. 6,154,210) (hereinafter Anderson '210) in view of Anderson (U.S. Patent No. 6,297,810) (hereinafter Anderson '810) and further in view of Nishimura (U.S. Patent No. 6,778,217).

Regarding claim 12, the combination of Anderson '210 and Anderson '810 differs from claim 12 in that it does not specifically teach the controller is configured to allow a user to selectively position a cursor on said display.

Nishimura teaches electronic control system is configured to allow a user to selectively position a cursor or said display (col. 3, line 51 to col. 4, line 7). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the selecting position a cursor on said display as taught by Nishimura in the system of the

combination of Anderson '210 and Anderson '810 in order to improve various operations of the device.

5. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson '210, Anderson '810 in view of Nishimura (U.S. Patent No. 6,778,217), and further in view of Hyodo (U.S. Patent No. 6,919,927).

Regarding claim 17, the combination Anderson'210, Anderson '810, and Nishimura teaches display is configured to increase and decrease a value associated with a displayed one of said parameters in response to activations of top and bottom portions (9) of said switch platform (6) (col. 4, lines 1-7 of Nishimura);

a selecting a value in response to a touching of a central portion of flat panel display (col. 12, lines 35-45 of Anderson '210).

The combination of Anderson'210, Anderson '810, and Nishimura differs from claim 17 in that it does not specifically teach sequentially display a plurality of parameters in response to respective activations of left and right portions of said switch platform.

Hyodo teaches sequentially display a plurality of parameters in response to respective activations of left and right portions of said switch platform (col. 3, lines 43-57). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the displaying a plurality of parameters as taught by Hyodo in the system of the combination of Anderson'210, Anderson '810, and Nishimura in order to use switches easily at the left and right portions.

6. Claims 21 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson (U.S. Patent No. 6,154,210) in view of Trainor et al. (U.S. Patent No. 5,919,927).

Regarding claim 21, Anderson teaches an operator interface device comprising:

a controller (344, fig. 3);

a display panel (502, fig. 3) operable to provide a visual display indicative of a parameter to be controlled and values associated with respective ones of said parameters;

a first discrete electrical switch (920, fig. 9d) disposed on said display panel and operable to select a displayed value in response to a touching of a central portion of said display panel; and

an array of discrete pressure sensitive electrical switches (TS412-TS416, fig. 2b) disposed on said display panel and positioned adjacent respective edges of said display panel;

wherein a pressure applied adjacent a respective edge of said display panel causes an activation of a corresponding one of said switches (col. 6, line 66 to col. 7, line 39);

wherein said display panel includes left, right, top and bottom edges (i.e., 910a-910d), wherein a pressure applied to said left and right edges (i.e., 910d and 910b) of said display panel causes respective reverse and forward scrolling through said parameters (fig. 9D, col. 12, lines 35-57).

Anderson differs from claim 21 in that he does not specifically teaches a pressure applied to said top and bottom edges of said display panel causes respective forward and reverse scrolling through values associated with a selected one of said parameters.

Trainor teaches a pressure applied to said top and bottom edges of said display panel causes respective forward and reverse scrolling through values associated with a selected one of said parameters (col. 3, lines 20-35, fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the scrolling as taught

by Trainor in the system of Anderson in order to allow a user control selected parameters easily and efficiently.

Regarding claim 28, Anderson '210 teaches a viewfinder display in communication with the controller for displaying information from the controller to a user peering through a viewfinder (col. 5, lines 30-37).

7. Claims 22, 23, 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson (U.S. Patent No. 6,154,210) in view of Trainor et al. (U.S. Patent No. 5,919,927) and further in view of Bodnar (Patent No.: US 6,141,011).

Regarding claims 22, 23, 26 and 27, the combination of Anderson and Trainor teaches a user manipulates a cursor to scroll through items on a pick list on said display by pressing a top or bottom edge of said display; the user presses the central portion of said display to activate the central pressure sensitive switch which acts as an enter or select key (fig. 9D, col. 12, lines 35-57).

The combination of Anderson and Trainor does not specifically teach when a user manipulates a cursor to scroll through items an appropriate item is highlighted in the pick list.

Bodnar teaches when a user manipulates a cursor to scroll through items an appropriate item is highlighted in the pick list (col. 16, lines 54-61). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the highlighting as taught by Bodnar in the system of the combination of Anderson and Trainor in order to allow the user notice and select easily the item of interested.

8. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson '210, Anderson '810 in view of Trainor et al. (U.S. Patent No. 5,919,927) and further in view of Bodnar (Patent No.: US 6,141,011).

Regarding claim 24, the combination of Anderson '210, Anderson '810 and Trainor teaches a user manipulates a cursor to scroll through items on a pick list on said display by pressing a top or bottom edge of said display; the user presses the central portion of said display to activate the central pressure sensitive switch which acts as an enter or select key (fig. 9D, col. 12, lines 35-57).

The combination of Anderson '210, Anderson '810 and Trainor does not specifically teach when a user manipulates a cursor to scroll through items an appropriate item is highlighted in the pick list.

Bodnar teaches when a user manipulates a cursor to scroll through items an appropriate item is highlighted in the pick list (col. 16, lines 54-61). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the highlighting as taught by Bodnar in the system of Anderson '210, Anderson '810 and Trainor in order to allow the user notice and select easily the item of interested.

9. Applicant's arguments with respect to claims 1-4, 6, 7, 10-14, 17, and 21-28 have been considered but are moot in view of the new ground(s) of rejection.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to . whose telephone number is 571-272-7696. The examiner can normally be reached on Mon-Fri: 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard A. Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Nguyen
5/25/07

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